GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:6012
ANSWERED ON:30.04.2015
LEGAL AID POOR
Mishra Shri Bhairon Prasad

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether any action plan has been drawn by the Government for the fast and affordable justice system for the poor people in High Courts and the Supreme Court;

(b) if so, the details thereof including the steps taken/proposed to be taken by the Government in this regard;

(c) whether advocates have been appointed by the Government in the High Courts and Supreme Court for the said purpose; and

(d) so, the details thereof?

Answer

MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA)

(a) & (b): Yes Madam. Article 39A of the Constitution of India provides for free legal aid to the poor and weaker sections of the society and ensures justice for all. In the year 1987, the Legal Services Authorities Act was enacted by the Parliament which came into force on 9th November, 1995 to establish a nationwide uniform network for providing free and competent legal services to the weaker sections of the society on the basis of equal opportunity. The National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities Act, 1987 to monitor and evaluate implementation of legal aid programmes.Legal Services Institutions have been setup at all levels from Taluk Courts to the Supreme Court. Apart from these legal services institutions, High Court Legal Services committees have been constituted at all High courts and the Supreme court Legal Services Committee at the Supreme court level to provide free legal services to the persons eligible under section 12 of the Legal Services Authorities Act. The free Legal Aid Services include;

(a) Payment of court fee, process fees and all other charges payable or incurred in connection with any legal proceedings;

(b) Providing service of lawyers in legal proceedings;

(c) Obtaining and supply of certified copies of orders and other documents in legal Proceedings.

(d) Preparation of appeal, paper book including printing and translation of documents in legal proceedings.

Persons eligible for getting fre legal services include:-

i) Women and children;

ii) Members of SC/ST

iii) Industrial workmen

iv) Victims of mass disaster, violence, flood, drought, earthquake, industrial disaster.

v) Disabled persons.

vi) Persons in custody

vii) Persons whose annual income does not exceed Rs. 1 lakh (in the Supreme Court Legal Services Committee the limit is Rs. 1, 25,000/-). Victims of Trafficking in Human beings or beggar.

(c) To (d) For legal services advocates, panel lawyers are appointed at all levels including in the High Courts and Supreme Court by the Legal Services Institutions for prosecuting or defending the Court cases on behalf of all persons who are eligible for Legal Services under the above provisions.